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To: Microsoft ATR
Date: 1/24/02 12:16am
Subject: Microsoft Settlement

Sirs:

The proposed Final Judgment is insufficient to prohibit future monopolistic practices by Microsoft for several reasons:

It defines Windows API's too narrowly, i.e. as only API's between middleware and Windows. The PFJ should expand this definition to include all Windows API's.

Section III A 2 does not restrain Microsoft from retaliating against OEM's who ship computers containing only a competing operating system and not Windows.

The powers of the Technical Committee include investigation, but not enforcement. Enforcement of any violations uncovered by the Technical Committee would require lengthy and expensive legal action.

No part of the PFJ obligates Microsoft to release any information about file formats, even though undocumented Microsoft file formats have been found to form part of the Applications Barrier to Entry.

Thank you for your consideration to these comments.

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